

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35452 of 2020

Arising Out of PS. Case No.-273 Year-2020 Thana- PALASI District- Araria

-
1. PRASADU BAHARDAR Son of Late Jangali Bahardar Resident of Village- Garhara, Ward No. 8, P.S.- Palasi, District- Araria- 854333 (Bihar).
 2. Binod Bahardar Son of Prasadu Bahardar Resident of Village- Garhara, Ward No. 8, P.S.- Palasi, District- Araria- 854333 (Bihar).

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nishant Sinha, Advocate

For the Opposite Party/s : Mr. Ram Bilash Roy 'Raman', A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 22-12-2020 Heard Mr. Nishant Sinha, learned counsel for the petitioners and Mr. Ram Bilash Roy 'Raman', learned Additional Public Prosecutor appearing for the State through video conferencing.

Petitioners seek regular bail in connection with Special Case No. 666 of 2020 arising out of Palasi P.S. Case No. 273 of 2020 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The allegation as per the First Information Report is that the Police recovered a total quantity of 59.250 litres of illicit liquor from the house of the petitioners.

Learned counsel for the petitioners submits that the



petitioners have not committed any offence in the manner alleged and they have falsely been implicated in this case with oblique motive. Learned counsel further submits that procedure prescribed under Section 100 Cr. P.C. has not been followed at the time of search and seizure. Learned counsel also submits that the petitioners have got no criminal antecedents and they are in custody since 27.08.2020. Learned counsel next submits that the petitioners have been made accused for the alleged recovery of liquor from the joint house. The charge sheet has already been submitted against the petitioners and there is no likelihood that the petitioners will abscond or tamper with the evidence.

Having regard to the submissions made by the parties and taking into consideration the materials on record, the fact that petitioners have got no criminal antecedents and they are in custody since 27.08.2020 as well as charge sheet has already been submitted against them, I am inclined to grant regular bail to the petitioners.

Accordingly, let the petitioners, above named, be released on regular bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-



Special Judge, Araria, in connection with Special Case No. 666
of 2020 arising out of Palasi P.S. Case No. 273 of 2020

It is made clear that at the time of furnishing bail
bonds all the parties shall follow the guidelines regarding social
distancing.

(Anil Kumar Sinha, J)

S.Ali/-

U		T	
---	--	---	--

